

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 18-20256

-V-

D-3, KARINA GARCIA,

Defendant.

1

INITIAL APPEARANCE

BEFORE MAGISTRATE JUDGE **R. STEVEN WHALEN**
United States Magistrate Judge
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan
April 9, 2018

APPEARANCES:

FOR THE PLAINTIFF: ANDREW LIEVENSE
U.S. Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226

FOR THE DEFENDANT: NANCY MCGUNN
Federal Defenders Office
615 Abbott Street
Fifth Floor
Detroit, MI 48226

INTERPRETER: Fehmi Yasin

TRANSCRIBED BY:

Christin E. Russell

FCRR, CRR, RPR, CSR-5607

(248) 420-2720

Proceedings digitally recorded.

	<u>TABLE OF CONTENTS</u>		
1			
2	<u>Hearing</u>	<u>Page</u>	
3	Initial Appearance	3	
4			
5			
6			
7			
8			
9	<u>Exhibits:</u>		
10	<u>No.</u>	<u>Description</u>	<u>Page</u>
11			
12	CERTIFICATE OF REPORTER		6
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 Detroit, Michigan

2 April 9, 2018

3 3:28 p.m.

4 * * *

5 THE CLERK: Calling Case No. 18-30195, Defendant No. 3.
6 United States of America vs. Karina Garcia.

7 MR. LIEVENSE: Once again, Andrew Lievense on behalf of
8 the United States. This is, once again, Ms. Garcia's initial
9 appearance on a criminal complaint.

10 THE COURT: Okay. Yasin, you are again interpreting,
11 having already been sworn.

12 Ms. Garcia?

13 THE DEFENDANT: Yes.

14 THE COURT: You are here in this same criminal
15 complaint that charges you with conspiracy to possess with
16 intent to distribute a controlled substance.

17 Have you received a copy of this complaint?

18 THE INTERPRETER: Yes.

19 THE COURT: And was that translated into Spanish for
20 you?

21 THE INTERPRETER: No.

22 THE COURT: Okay. Okay. We're going to make sure that
23 that's done so that you completely understand what you're
24 charged with and, you know, what the facts are that the
25 Government alleges.

1 However, I do want to tell you that you don't have to
2 say anything about this matter, and anything you do say can be
3 used against you in court. You do have a right to a lawyer.
4 If you can't afford to pay one, I will appoint a lawyer for
5 you.

6 Would you like me to do that, Ms. Garcia?

7 THE INTERPRETER: I don't know. My kids are in the
8 back.

9 THE COURT: I'm sorry. I didn't hear that.

10 THE INTERPRETER: I don't know. My kids are in the
11 back.

12 THE COURT: You would like a lawyer?

13 THE DEFENDANT: Yes.

14 THE COURT: Okay. I think that's a good idea. I'll
15 appoint the Federal Defender Office.

16 MS. MCGUNN: Thank you, your Honor.

17 Nancy McGunn from the Federal Defender Office. Your
18 Honor, just one point. Ms. Garcia and I met, and actually Ms.
19 Garcia's English is quite good meeting in person, that's why
20 she mentioned to the Court she didn't need the complaint
21 translated.

22 THE COURT: I understand.

23 MS. MCGUNN: Right. It's just for court purposes, I
24 think we may --

25 THE COURT: Okay.

1 MS. MCGUNN: That's where the confusion may be.

2 THE COURT: That's fine, Ms. Garcia. And if, however,
3 there's anything in that complaint -- sometimes there's legal
4 language in here that, you know, I speak English, I don't
5 always understand it, but if there's anything you don't
6 understand, we have an interpreter available to assist you. Is
7 that all right? Okay.

8 THE INTERPRETER: Okay.

9 THE COURT: All right. In terms, I assume the
10 Government is seeking detention in this as well?

11 MR. LIEVENSE: Yes, your Honor. And the Government
12 would request a detention hearing to be held on Wednesday.

13 THE COURT: Okay. Ms. McGunn?

14 MS. MCGUNN: Yes, your Honor, Wednesday is fine.

15 THE COURT: Okay. Ms. Garcia, I'm going to order you
16 temporarily detained. I'll set this for a detention hearing
17 for Wednesday, April 11th, at one o'clock p.m.

18 Okay.

19 MS. MCGUNN: Thank you.

20 (Matter concluded, 3:31 p.m.)

21 * * *

22

23

24

25

INITIAL APPEARANCE - 4/9/2018

1

2 **CERTIFICATE OF REPORTER**

3

4 I certify that the foregoing is a correct transcript
5 from audio recorded proceedings in the above-entitled cause on
6 the date hereinbefore set forth.

7

8

9

s/ Christin E. Russell

10 CHRISTIN E. RUSSELL, CSR, RPR, FCRR, CRR

11 Federal Official Court Reporter

12

13

14

15

16

17

18

19

20

21

22

23

24

25